

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

IN RE MICROSOFT CORP.
ANTITRUST LITIGATION.

MDL Docket No. 1332

Hon. J. Frederick Motz

This Document relates to:

Burst.com, Inc. v.
Microsoft Corp.,

Civil Action No JFM-02-cv-2952

CONSENT MOTION FOR LEAVE TO EXCEED PAGE LIMIT

Pursuant to Local Rule 105(3), Burst, Inc. ("Burst") requests leave to file its Reply to Microsoft's Opposition to Burst's Motion for Spoliation Instruction and Related Relief with a page count of 60 pages, inclusive of Appendices. The Defendant's Motion makes allegations regarding a series of events occurring over a number of years requiring that Burst's Reply exceed this Court's usual 25-page limit. Many of those claims make assertions regarding the merits of Burst's case which cannot be left unrebutted. For the convenience of the Court, Burst provides much of the detailed discussion of the merits in an appendix that the Court only need consider should it deem necessary. Burst's counsel is authorized to state that Microsoft Corporation consents to this Motion.

DATED: January 11, 2005

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